

# MINUTES

## *Tindall Hammock Irrigation and Soil Conservation District*

**Board of Supervisors Meeting**  
Wednesday, June 17<sup>th</sup>, 2015 at 4:30 p.m.  
3941 SW 47<sup>th</sup> Avenue, Davie, FL

### **Call to Order:**

H. Collins Forman, Jr. called the Meeting of the Board of Supervisors of the Tindall Hammock Irrigation and Soil Conservation District to order at 4:30 p.m. The meeting notice had been duly posted.

### **Roll Call:**

The District Clerk called the roll. A quorum was present.

### **Supervisors:**

#### **Present:**

H. Collins Forman, Jr. and Dr. Walter Forman; Eric Forman was absent.

#### **Also Present:**

Douglas R. Bell, Esquire, Patricia Mahaney (*Everhart Management Group*), Pat Gibney, P.E. (*Craven Thompson & Associates*), Jay Ameno, P.E. (*GAI*), and Bob Salerno (*Fern Crest*), Austin Forman (*landowner*)

### **Approval of Minutes for Board of Supervisors Meetings:**

The Chair presented for approval the minutes from the February 18<sup>th</sup>, 2015 meeting. The Chair entertained a motion to approve the minutes.

**Motion #1:** Dr. Walter Forman made a motion to approve the minutes from the February 18<sup>th</sup>, 2015 meeting. The Chair seconded the motion. The motion carried.

The Chair presented for approval the minutes from the March 18<sup>th</sup>, 2015 meeting. The Chair entertained a motion to approve the minutes.

**Motion #2:** Dr. Walter Forman made a motion to approve the minutes from the March 18<sup>th</sup>, 2015 meeting. The Chair seconded the motion. The motion carried.

The Chair presented for approval the minutes from the April 22<sup>nd</sup>, 2015 meeting. The Chair entertained a motion to approve the minutes.

**Motion #3:** Dr. Walter Forman made a motion to approve the minutes from the April 22<sup>nd</sup>, 2015 meeting. The Chair seconded the motion. The motion carried.

The Chair presented for approval the minutes from the May 20<sup>th</sup>, 2015 meeting. The Chair entertained a motion to approve the minutes.

**Motion #4:** Dr. Walter Forman made a motion to approve the minutes from the May 20<sup>th</sup>, 2015 meeting. The Chair seconded the motion. The motion carried.

### **Approval of the interim financial statement for April 2015:**

Mrs. Mahaney presented for approval the interim financial statement for the period ending April 30, 2015. The Chair questioned the status of the loan with PNC Bank. Mrs. Mahaney reported that she had spoken with Ms. Terri Salemi with PNC Bank earlier in the day. PNC Bank was extending the loan for 60 days which would allow them time to transfer the loan to the local business banking division from the governmental division with PNC Bank. Ms. Salemi would then serve as the contact for the loan and the District's relationship with PNC Bank going forward. Ms. Salemi indicated that she does not yet have a response from PNC Bank's legal department as to their ability to modify the loan, etc. Mrs. Mahaney reported that she has provided PNC Bank with all the documentation requested for their credit department to review the loan modification request, if approved. Mrs. Mahaney reported that there are still outstanding questions with regard to project timing, utility revenue stream and potential action on the 2015/2016 millage rate. The Chair commented that the District may need to involve Robert Gang with Greenberg Traurig (the District's bond counsel) on the extension or modification as the process moves forward.

The Chair entertained a motion to approve the April 30, 2015 interim financial statement.

**Motion #5:**

Dr. Walter Forman made a motion to approve the April 30, 2015 interim financial statement. The Chair seconded the motion. The motion carried.

**Discussion on District Enterprise Fund Budget and District Regular General Budget for Fiscal Year 2015/2016:**

Mrs. Mahaney reported that a draft of the enterprise and general fund budgets for Fiscal Year 2015/2016 had been previously circulated in the format used in the interim financial statement reports. Mrs. Mahaney reviewed the reports with the Supervisors. Mrs. Mahaney reported that a draft budget must be published on the District's website at least 60 days prior to the first public tax hearing which was currently scheduled for September 3, 2015. Mrs. Mahaney reported that the preliminary information received from the Broward County Property Appraiser's office reflects a taxable value for 2015 of \$421,754,900. This represents an increase from the 2014 value of approximately \$357M. Mrs. Mahaney reported that for purposes of the draft budget the current millage rate was used and also that the \$1M principal loan payment would be made.

Discussion ensued regarding potential capital budget items for 2015/16 based on GAI Consultants' proposal for Phase 2 of the utility plant improvements. The Chair requested the Mr. Ameno and Mr. Salerno review the current proposal and evaluate lower cost options prior to the public tax hearings and present the options to the Chair or to the Supervisors in a budget workshop. Mr. Forman requested that the Supervisors review all budget options which would result in the lowering of the millage rate possibly below the roll-back rate.

The Chair entertained a motion to set the tentative millage rate for fiscal year 2015/16 at 4.9 mills.

**Motion #6:**

Dr. Walter Forman made a motion to set the tentative millage rate for fiscal year 2015/16 at 4.9 mills. The Chair seconded the motion. The motion carried.

The Chair confirmed the dates and times for the Budget Public Hearings as follows:

September 3, 2015 at 4:45 p.m.: Public Hearing on Enterprise Fund Budget

September 3, 2015 at 5:01 p.m.: Public Hearing on Tentative Budget and Tentative Millage Rate

September 9, 2015 at 5:01 p.m.: Public Hearing on Final Budget and Millage Rate

The Chair entertained a motion to approve the tentative budget as presented for the purpose of posting the tentative budget on the District's website.

**Motion #7:**

Dr. Walter Forman made a motion to approve the tentative budget as presented. The Chair seconded the motion. The motion carried.

**Discussion on Broward County Health Department issues associated with the Utility Plant**

Mr. Ameno reported that the work required under the consent order was complete. Mr. Salerno reported that six of the new sampling locations were completed. A seventh station, yet to be installed, will be located at Value Place. Mr. Ameno also reported that a formal plan of operation for the re-use facility had been submitted to FDEP via an Application for Permission to Place a Public Access Reuse System in Operation. The FDEP in response raised questions regarding the cross-connection control program and back-flow prevention program. Mr. Ameno reported that certification of these programs is now required from Broward County as a result of a rule change. Mr. Ameno reported that he will be following up with Broward County regarding certification. He also reported that the District may need to update its cross-connection control program and revise the Operation Protocol submission. The FDEP granted a time extension for the regulatory completion dates.

**Bill of Sale for Utility Facilities (water only) from Bridge Point Davle to THISCD**

The Chair moved to agenda item #10 regarding the Bridge Point development. Mr. Bell presented the bill of sale and corresponding District Resolution 2015-04. The Chair entertained a motion to approve District Resolution 2015-04 which approves and accepts the Bill of Sale from Bridge Point-Davie.

**Motion #8:**

Dr. Walter Forman made a motion to approve District Resolution 2015-04 which approves and accepts the Bill of Sale from Bridge Point-Davie. The Chair seconded the motion. The motion carried.

**Discussion on status of development projects:**

**Toscana II Development**

Mr. Bell reported that a corrected invoice for legal fees was being prepared for the developer.

**IDI [Davie Business Center] Development**

Mr. Bell reported that he is still waiting on a response from IDI on the outstanding legal invoice. Mr. Bell also reported that the Building B slab is under construction.

**IDI [Davie Business Center] Phase II Development**

Mr. Gibney reported that there was no new information on IDI Phase II.

**Value Place Development**

Mr. Bell reported that Value Place is basically complete and the final invoice for legal fees is pending.

**Bridge Point-Davie Development**

Mr. Bell is basically complete with the acceptance of the bill of sale and easements have been recorded. The final walkthrough and final invoice for legal fees are both pending.

**Discussion on proposed Corrective, Supplemental and Restated Memorandum of Lease or Amendment to the Rock Pit Lease between the District and Forman Industrial Land, L.L.C.,**

The landowner representative, Austin Forman, reported that he is reviewing the documents. The Chair also advised Mr. Bell that he had several comments on the documents that he would be reviewing with Mr. Bell in the future. The Chair requested that this item be taken up at the August meeting.

**Discussion on status of Utility Plant Capital Improvement Plan**

Mr. Salerno reported that Jacobs had been out the previous month to assess the blowers due to a vibration problem with one of the blowers. Mr. Salerno reported that one of the blowers was fine and the other blower needed to be re-built. Mr. Salerno presented a proposal for \$21,675 from Jacobs to remove and transport the blower to the Hoffman factory, have the blower factory re-built to factory specifications including a one-year warranty, transport the blower back to the plant and installed. The Chair entertained a motion to accept and approve the proposal in the amount of \$21,675 for the scope of work outlined therein.

**Motion #9:**

Dr. Walter Forman made a motion to accept and approve the proposal in the amount of \$21,675 for the scope of work outlined therein. The Chair seconded the motion. The motion carried.

Mr. Forman, landowner, suggested that steps be taken to obtain at least one new generator. Mrs. Mahaney noted that tentative budget included \$271,000 for two generators and fuel storage for both generators. The amount for one generator and fuel storage for both is projected at \$163,000. Mr. Salerno reported that each new 300kW generator would run one-half the plant. Mr. Ameno commented that one generator would accommodate critical plant components. The existing generator will continue to run everything from the old plant. The current 175kW generator cannot accommodate the new plant, however there are work-arounds to ensure that all critical components are functional. The Chair requested that Mr. Ameno and Mr. Salerno move forward with developing bid specifications for the generators.

Mr. Ameno presented a draft of the capital needs for fiscal year 2015/16. The Chair requested that Mr. Ameno continue the review process with Mr. Salerno to further refine and prioritize the capital needs in advance of the public tax hearings. The Chair also requested that they evaluate each item to determine whether the work could be done "in-house" versus being performed by an outside contractor. Mrs. Mahaney requested that Mr. Ameno also provide timelines for the items.

Mr. Ameno reported that start-ups and training have been completed for the plant pump station, thickener pump station, equalization basin (2 pumps), headworks, and rotary drum thickener. He also reported that start-ups and training are in process for the electrical/instrumentation and the treatment unit/blowers/pumps, effluent piping is in process and reviews of the contractor O&M manuals are underway. Mr. Ameno reported that the plant will be in service by June 30, 2015.

Mr. Ameno and Mr. Salerno provided additional information on the topic of the cross-connection program that was discussed earlier in the meeting. Mr. Ameno reported that the FDEP also required re-use reports for the last 3 years and reuse connection schedules and operation protocols which were submitted on 5/29/15. Mr. Ameno also reported that the Broward County Annual Operational Permit has been submitted.

Mr. Ameno reported that he had met with the Town of Davie Utility Director the previous week. The Director was supportive of the inter-connect and suggested that it be installed just north of Restaurant Depot where development will be occurring. Mr. Ameno will provide further reports as discussions continue.

#### **Reports:**

##### **DOT Condemnation**

Mr. Bell provided an update on DOT Condemnation proceedings for additional Turnpike Right-of-Way and reported that there is a calendar call scheduled for June 18<sup>th</sup>. Currently there is a 5 day trial has been set for the week of July 6, 2015.

##### **I-595 construction and condition of culverts under I-595**

Mr. Gibney reported that DOT is beginning work on the access during the first week in July. Mr. Gibney should be receiving a drawing from DOT next week. Mr. Gibney distributed information regarding a culvert blockage involving the 60" pipe that leaves the north canal out of the pump station and goes to the north fork of the New River. Mr. Gibney had solicited a proposal from Shenandoah Construction to do some exploratory work. The proposal is \$12,500. The Chair entertained a motion to accept and approve the proposal from Shenandoah Construction in an amount not to exceed \$12,500.

##### **Motion #10:**

Dr. Walter Forman made a motion to accept and approve the proposal from Shenandoah Construction in an amount not to exceed \$12,500. The Chair seconded the motion. The motion carried.

##### **Additional and Amendments to District's Permit Criteria Manual**

Mr. Bell reported no change from the prior meeting.

##### **5 year re-certifications**

Mr. Gibney reported that there were no 5-year re-certifications completed in the last month.

##### **Turbidity in North-South Canal South of rock pit**

Mr. Gibney reported that Shenandoah Construction completed the work.

##### **Water Control Plan and Facilities Plan**

Mr. Gibney reported that the District Water Control Facilities Report was in final draft form and he would be circulating a draft for review within the next two weeks.

##### **Loan/Letter of Credit with PNC Bank**

The Chair commented that Mrs. Mahaney provided an update on communication with PNC Bank during the financial statement overview. The Chair entertained a motion to authorize the Chair to execute an extension up to 120 days on the loan.

##### **Motion #11:**

Dr. Walter Forman made a motion to authorize the Chair to execute an extension up to 120 days on the loan. The Chair seconded the motion. The motion carried.

##### **Utility Plant Web Site**

This item was deferred.

##### **Extending Utility lines to east side of turnpike**

This item was deferred.

##### **Old Business**

There was no old business brought before the Board.

##### **New Business**

Mrs. Mahaney reported that the audit report for the fiscal year ended September 30, 2014 was complete and the District's auditor had provided her with bound copies earlier in the day.

##### **Next meeting**

The Chair reported that there would be no meeting in July and the next regular monthly meeting of the Board of Supervisors is tentatively scheduled for 4:30 p.m. on Wednesday, August 19<sup>th</sup>, 2015.

##### **Adjournment**

There being no further business, the Chair adjourned the meeting at 6:23 p.m.